

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of:	Nick Steele et al.	)
		)
Serial No.:	09/933,567	)
		)
Filed:	August 20, 2001	)
		)
For:	BRANDING AND REVENUE SHARING	)
	FOR FACILITATING STORAGE,	)
	MANAGEMENT AND DISTRIBUTION	)
	OF CONSUMER INFORMATION	)
		)
Examiner:	Greta L. Robinson	)
		)
Group Art Unit:	2168	)
		)
Appeal No.:	_____	)

**TRANSMITTAL LETTER**  
**For Amended Brief of Appellants**

**The Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231**

Sir:

Appellants submit this paper in response to the Notice of Non-Compliant Appeal Brief that was mailed May 7, 2008 (the “Notice”) in connection with the Appeal Brief filed by Appellants on May 1, 2008 (the “Appeal Brief”). Entry and consideration of the Amended Brief of Appellant (the “Amended Brief”), submitted herewith, is respectfully requested in view of the following remarks.

**I. Item 4. of the Notice**

The Appeal Brief has been objected to on the grounds that the “brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify...every means plus function and step plus function...and/or (2) set forth the structure...corresponding to each claimed function...”

The Notice further states that the Appeal brief has been objected to on the grounds that the summary of claimed subject matter does not “map all independent claims on appeal to specification by page and line number...” Appellants submit that in view of the amendments reflected in the Amended Brief filed herewith, the objection should be withdrawn.

### **CONCLUSION**

In view of the remarks set forth herein, and further in view of the corresponding amendments to the Appeal Brief (as set forth in the Amended Brief of Appellant filed herewith), Appellants respectfully submit that the objections to the Appeal Brief have been overcome and should be withdrawn.

DATED this the 5th day of June, 2008.

Respectfully submitted,

**/R. Burns Israelsen/ Reg. No. 42685**

R. Burns Israelsen  
Registration No. 42,685  
Attorney for Appellants  
**Customer No. 022913**  
Telephone No. (801) 533-9800